**Section 340.1200 Monitor and Receivership**

a) *The Department may place an employee or agent to serve as a monitor* in accordance with Section 3-501 of the Act. (Section 3-501 of the Act) The monitor shall meet the following minimum requirements:

1) have an understanding of the needs of long-term care facility residents as evidenced by one year of experience, as appropriate, in working with the elderly in programs such as patient care, social work, advocacy, or facility inspection;

2) have an understanding of the Act and this Part which are the subject of the monitors' duties as evidenced in a personal interview of the candidate;

3) be unrelated to the owners or licensee of the involved facility either through blood, marriage or common ownership of real or personal property except ownership of stock that is traded on a stock exchange;

4) have successfully completed a baccalaureate degree, or possess a nursing license or a nursing home administrator's license; and

5) have two years full-time work experience in the long-term care industry of the State of Illinois.

b) The monitor shall be under the supervision of the Department and shall perform the duties of a monitor delineated in Section 3-502 of the Act in accordance with the Department's instructions.

c) All communications, including but not limited to data, memoranda, correspondence, records and reports shall be transmitted to and become the property of the Department, plus, findings and results of the monitor's work done under this Part shall be strictly confidential and not subject to disclosure without written authorization from the Department or by court order subject to disclosure only in accordance with the provisions of the Freedom of Information Act, subject to the confidentiality requirements of the Act.

d) The assignment as monitor may be terminated at any time by the Department.

e) Through consultation with the long-term care industry associations, professional organizations, consumer groups and health care management corporations, the Department shall maintain a list of receivers. Preference on the list shall be given to individuals possessing a valid Illinois Nursing Home Administrator's License, experience in financial and operations management of a long-term care facility and individuals with access to consultative experts with the aforementioned experience. To be placed on the list, individuals must meet the following minimum requirements:

1) have an understanding of the needs of long-term care facility residents and the delivery of the highest possible quality of care as evidenced by one year of experience in working with the elderly in programs such as patient care, social work, advocacy, or facility inspection.

2) have an understanding and working knowledge of the Act and this Part as evidenced in a personal interview of the candidate.

f) Upon appointment of a receiver for a facility by a court, the Department shall inform the individual of all legal proceedings to date that concern the facility.

g) The receiver may request that the Director of the Department authorize expenditures from monies appropriated, pursuant to Section 3-511 of the Act, if incoming payments from the operation of the facility are less than the costs incurred by the receiver.